

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

456M0563

SENATE TAXATION COMMITTEE ENGROSSED NO.

SB 121 - 02/08/2006

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Bogue, Koskan, Lintz, and Olson (Ed) and Representatives Dykstra, Deadrick, and Rhoden

1 FOR AN ACT ENTITLED, An Act to clarify provisions regarding the use of railroad rights-of-
2 way by utility companies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Recognized electric utilities, public utilities, telecommunication companies, and
5 rural water systems duly organized under the laws of South Dakota have the right to traverse the
6 railroad right-of-way with underground facilities, subject to reasonable railroad regulation and
7 terms and conditions as to prevention of present and future railroad operational interference,
8 placement, safety, liability, maintenance, reclamation, administrative costs, and compensation.

